

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert W. Childers et al.
Appl. No.: 10/623,316
Filed: July 17, 2003
Conf. No.: 3437
Title: SYSTEMS AND METHODS FOR PERFORMING PERITONEAL DIALYSIS
Art Unit: 3761
Examiner: Patricia Bianco
Docket No.: DI-5766 (112713-439)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22312-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Examiner:

Please enter the following Response in the above-identified patent application.

REMARKS

This Response is to the restriction/election requirement mailed on August 11, 2006. The restriction/election requirement requires Applicants to elect one of the following species under 35 U.S.C. § 121:

- I. Species A: Figure 1
- II. Species B: Figure 3
- III. Species C: Figure 4
- IV. Species D: Figure 8
- V. Species E: Figure 9

Applicants elect with traverse, Species C: Figure 4. Applicants traverse concerns the finding that each drawing necessarily requires each element or apparatus shown in any particular figure. Such a finding might preclude a mixing of apparatuses from different figures, which is not the intent of the inventors.

The restriction/election requirement also requires Applicants to elect one of the following Sub-species under 35 U.S.C. § 121:

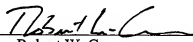
- I. Sub-species f: Figure 5
- II. Sub-species g: Figure 6
- III. Sub-species h: Figure 7
- IV. Sub-species i: Figure 10

Applicants elect, with traverse, Sub-species h: Figure 7. Applicants traverse concerns the finding that Figure 7 is a separate Sub-species. Figure 7 specifically shows (and corresponding text confirms) that cassettes 120 and 140 apply to each of systems 10 (Figure 1), 100 (Figure 3) and 110 (Figure 4). Each of the teachings associated with cassettes 120 and 140 and systems 10, 100 and 110 is accordingly incorporated into Fig. 7.

Accordingly, Figures 4 and 7 support system Claims 1 to 8 and 8 to 26. Figures 4 and 7 support cassette Claims 27 to 34. Figures 4 and 7 support the use of the above apparatus via therapy and method Claims 35 to 61.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 
Robert W. Connors
Reg. No. 46,639
Customer No.: 29200

Dated: September 11, 2006